

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 100, Page 18, Section 478.007, Lines
2 1-23, by deleting all of said section and lines and inserting in lieu thereof the following:

3
4 "478.007. 1. Any circuit court, or any county with a charter form of government and with
5 more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county
6 municipal court established under section 66.010, may establish a docket or court to provide an
7 alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving
8 while intoxicated or driving with excessive blood alcohol content and:

9 (1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent
10 or more by weight of alcohol in such person's blood; or

11 (2) The person has previously pleaded guilty to or has been found guilty of one or more
12 intoxication-related traffic offenses as defined by section 577.023; or

13 (3) The person has two or more previous alcohol-related enforcement contacts as defined in
14 section 302.525.

15 2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol
16 monitoring, substance abuse traffic offender program compliance, and treatment of DWI court
17 participants. The court may assess any and all necessary costs for participation in DWI court against
18 the participant. Any money received from such assessed costs by a court from a defendant shall not
19 be considered court costs, charges, or fines. This docket or court may operate in conjunction with a
20 drug court established pursuant to sections 478.001 to 478.006.

21 3. If the division of probation and parole is otherwise unavailable to assist in the judicial
22 supervision of any person who wishes to enter a DWI court, a court-approved private probation
23 service may be utilized by the DWI court to fill the department's role. In such case, any and all
24 necessary additional costs may be assessed against the participant. No person shall be rejected from
25 participating in DWI court solely for the reason that the person does not reside in the city or county
26 where the applicable DWI court is located but the DWI court can base acceptance into a treatment
27 court program on its ability to adequately provide services for the person or handle the additional
28 caseload."; and

29
30 Further amend said bill by amending the title, enacting clause, and intersectional references
31 accordingly.

Action Taken _____ Date _____